

**COPY**

**Deed of Assignment**

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**Deed of Assignment**

*IMBcom Pty Limited*

and

*Nanomics Biosystems Pty Ltd*

## **Deed of Assignment**

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|                 |  |
|-----------------|--|
| <u>Date</u>     | the <u>3rd</u> day of <u>February</u> <u>2004</u>  |
| <u>Parties</u>  |  |
| 1.              | IMBcom Pty Limited, of Research Road, The University of Queensland, St Lucia, in the State of Queensland, Australia, 4072 ( <i>Assignor</i> )  |
| 2.              | Nanomics Biosystems Pty Ltd, of 59 Bunowang Street, Balmoral, in the State of Queensland, Australia, 4171 ( <i>Assignee</i> )  |
| <u>Recitals</u> |  |
| A.              | <i>Assignor</i> is the owner of the invention described and/or claimed in the <i>United States</i> patent applications listed in the attached Schedule 1 ( <i>the patent applications</i> )                  |
| B.              | <i>Assignee</i> wishes to acquire <i>Assignor's</i> entire right, title and interest in the <i>United States</i> in and to the <i>patent applications</i> and the invention described and/or claimed therein |

It is agreed as follows:-

**1. Grant**

- 1.1 For the sum of One Dollar (AU\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the *Assignor* confirms that it has sold, assigned and transferred and by these presents does hereby sell, assign and transfer to the *Assignee*, its successors, assigns and legal representatives, the *Assignor's* entire right, title and interest in the *United States* in and to the invention described and/or claimed in the *patent applications*, in and to the *patent applications* and any and all divisionals, reissues, substitutions, continuations and extensions thereof and any and all application for the invention in the *United States* and any and all Letters Patent which may issue or be issued for the invention in the *United States* to the full end of the term for which each said Letters Patents may be granted.
- 1.2 *Assignor* confirms that the entire right, title and interest assigned and transferred to the *Assignee* by these presents includes all the rights, powers, liberties and immunities conferred on the owner by the grant of said Letters Patent free from all encumbrances and including the right to sue for damages and other remedies in respect of any infringement of the Letters Patent which may have accrued up to the date hereof.
- 1.3 *Assignor* authorizes and requests the Commissioner of Patents to issue Letters Patent on the *patent applications*, and all Letters Patents resulting from any applications derived therefrom, in the *United States*, to the *Assignee*, its successors, assigns and legal representatives.

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**2. Completion**

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2.1 *Assignor* further agrees to do all such lawful acts and things and to execute without further consideration such further lawful Assignments, Powers of Attorney, Applications, Declarations, Affidavits, and other instruments as may reasonably be required by the *Assignee* to effect said sale, transfer and assignment and to vest or perfect such rights, title and interest to the *Assignee*, its successors, assigns and legal representatives.

**3. Acceptance**

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3.1 *Assignee* hereby accepts the foregoing assignment made by the *Assignor*.

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**Schedule1**

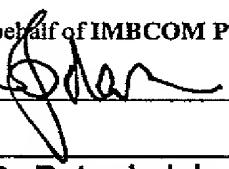
**The Patent**

| Application No. | Patent No. | Status            |
|-----------------|------------|-------------------|
| 09/554,376      |            | Under Examination |
| 09/856,859      |            | Under Examination |

**Deed of Assignment**

Executed in Brisbane as a Deed.

SIGNED for and on behalf of IMBCOM PTY LIMITED

by: 

Print Name Dr Peter Isdale  
Position Held Chief Executive Officer  
IMBcom Pty Ltd  
ABN 30 084 733 809

in the presence of:

Olivia Teed  
Witness

Olivia Teed  
Name

Executed in Brisbane, as a Deed.

SIGNED for and on behalf of NANOMICS BIOSYSTEMS PTY LTD

by: 

Print Name MARK MILSON  
Position Held

Company Secretary

in the presence of:

Olivia Teed  
Witness

Olivia Teed  
Name